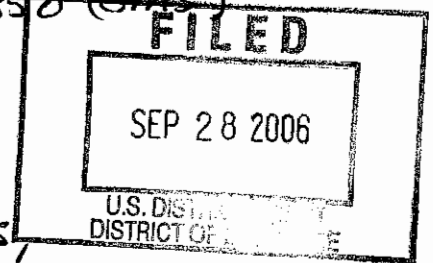


Jimmie Lewis,
Plaintiff,

v.

Dr. Sylvia Foster, et al.,
Defendants.

CA. NO. 04-1350 (GMS)



PLAINTIFF'S RESPONSE TO DEFENDANTS,
JOHNSON, SAGER'S, GRAY'S AND MOFFITT'S
MOTION FOR PROTECTIVE ORDER

COMES NOW, THE PLAINTIFF JIMMIE LEWIS PRO- SE IN RESPONSE TO DEFENDANTS, JOHNSON, SAGERS, GRAY AND MOFFITT'S MOTION FOR PROTECTIVE ORDER, AND IN SUPPORT THEREOF, OFFERS THE FOLLOWINGS:

- 1.) THE DEFENDANTS STATE THAT THEY WILL RESPOND TO ANY WRITTEN REQUEST FOR ADMISSION OR WRITTEN INTERROGATORIES, AND THAT THE PLAINTIFF CAN OBTAIN ("MUCH OF THE SAME INFORMATION") HE SEEKS FROM THE DEFENDANTS WITHOUT THE COST ASSOCIATED WITH DEPOSITIONS, AND WITHOUT THE TRANSPORTATION AND SECURITY ISSUES RAISED BY HIS REQUEST TO TRAVEL TO THE FEDERAL COURTHOUSE.
- 2.) THE DEFENDANTS STATE THAT THEY HAVE ALREADY PROVIDED RESPONSE TO THE PLAINTIFFS MOTION FOR DISCOVERY AS WELL AS SUBSTANTIAL DOCUMENTS PRODUCTION, AND THAT THE PLAINTIFF'S SUBPOENA REQUEST ARE NOT NECESSARY TO HIS ABILITY TO CONDUCT DISCOVERY AGAINST THE ABOVE DEFENDANTS.
- 3.) IN RESPONSE, THE PLAINTIFF CONFIRMS THAT HE HAS RECEIVED DISCOVERY MATERIAL (SAVE PAGES 91-93) AS WELL AS SUBSTANTIAL DOCUMENTS PRODUCTION, (UNREQUESTED), BUT IN REGARDS TO THE PLAINTIFF'S REQUEST THE DEFENDANTS DID NOT TAKE THE LIBERTY TO ANSWER QUESTIONS THAT THE INTERPRETED WERE INTENDED AND OR DIRECTED TO DEFENDANT DR SYLVIA - FOSTER; THEREFORE THE PLAINTIFF CAN NOT GET ("MUCH OF THE SAME INFORMATION") HE SEEKS VIA WRITTEN REQUEST FOR ADMISSION OR WRITTEN INTERROGATORIES, AS HE WOULD BE ABLE TO OBTAIN VIA DEPOSITION AS THE DEFENDANTS CLAIM.

- 4.) THE DEFENDANTS MOTION FOR A PROTECTIVE ORDER IS AMBIGUOUSLY CONTRADICTIVE, DUE TO THEIR STATING THAT THEY ARE NOT REQUESTING THE COURT TO DENY THE PLAINTIFF'S SUBPOENA REQUEST TO DEPOSE, BUT OBJECTS TO THE PLAINTIFF'S REQUEST BECAUSE OF COST ASSOCIATED WITH DEPOSITIONS AND SECURITY ISSUES RELATED TO HAVING THE PLAINTIFF TRANSPORTED TO THE FEDERAL COURTHOUSE.
- (a) THE DEFENDANTS DO NOT REPRESENT THE WITNESSES THE PLAINTIFF SEEKS TO DEPOSE, AND THEREFORE THE DEFENDANTS MOTION FOR PROTECTIVE ORDER WILL THE PLAINTIFF'S ABILITY TO PRESENT THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH TO THIS HONORABLE COURT.
- (B.) THE PLAINTIFF IS INDEED A STATE PRISONER, BUT DOES NOT POSE ANY SECURITY RISK BECAUSE OF HIS STATE PRISONER STATUS AND OR THE NATURE OF HIS CRIMINAL OFFENSES. NOTE; THE PLAINTIFF IS SCHEDULED FOR RELEASE THIS TIME 2007. THIS SHOULD BE TAKEN INTO CONSIDERATION WITH THE FACT THAT THE DEFENDANTS INITIATED THE REQUEST TO DEPOSE THE PLAINTIFF THAT CALLS FOR THE PLAINTIFF TO BE TRANSPORTED TO THE FEDERAL COURTHOUSE.

FOR THE FOREGOING REASONS, THE DEFENDANTS MOTION FOR PROTECTIVE ORDER SHOULD BE DENIED.

DATE: 9/26/06

Jimmie Lewis
SBI # 506622
DEL. CORR. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF, DUE HEREBY CERTIFY
ON THIS 26TH, DAY OF SEPT, 2006, THAT I
MAILED BY U.S. POSTAL ONE TRUE AND CORRECT
COPY OF THE PLAINTIFF'S RESPONSE TO DEFENDANTS
JOHNSON, SAGERS, GRAY, AND MOFFITT'S MOTION FOR
PROTECTIVE ORDER TO THE FOLLOWING:

CLERK OF THE COURT (GMS)
U.S. DISTRICT COURT
844 N. KING ST, LOCKBOX 18
WILMINGTON, DE 19801

GREGORY E. SMITH ID# 3869
DEPUTY ATTORNEY GENERAL
820 N. FRENCH ST, 7TH FL
WILMINGTON, DE 19801

DATE : 9/26/2006

Jimmie Lewis
ID# 506622
DEL. CORP. CENTER
1181 PADDOCK RD
SMYRNA, DE 19977

I/M Jimmie Lewis

SBI# 506622 UNIT C-4-2

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977



CLERK OF THE COURT (GMS)
U.S. DISTRICT COURT
844 N. KING ST, LOCKBOX 18
WILMINGTON, DELAWARE
19801

1980143519 CO12